



## **CITY OF SUNNYVALE ADMINISTRATIVE HEARING**

**MINUTES  
Wednesday, June 15, 2005**

**2005-0393** - Application for a Variance from Sunnyvale Municipal Code (SMC) section 19.34.030 for total combined side yard of 10 feet where 12 feet is required. The property is located at **467 Nuestra Avenue** (near W. Olive Ave.) in an R-0 (Low Density Residential) Zoning District. (APN: 165-07-074)

In attendance: Douglas Kokawa and Kathleen Roberts, Applicants; Gerri Caruso, Administrative Hearing Officer; Ryan Kuchenig, Project Planner; Luis Uribe, Staff Office Assistant.

**Ms. Gerri Caruso**, Administrative Hearing Officer, on behalf of the Director of Community Development, explained the format that would be observed during the public hearing.

Ms. Caruso announced the subject application.

**Ryan Kuchenig**, Project Planner, Stated that the proposed project is a one-story addition (210 square feet) at the rear of the home. While the addition meets the minimum setback of 4' for one side, the combined side yard of 10' does not meet the required 12 feet for the R-0 Zoning District; therefore, a Variance is necessary. Staff does not recommend approval.

**Ms. Caruso opened the public hearing.**

**Kathleen Roberts**, Applicant, received and reviewed a copy of the staff report. The applicant stated that surrounding properties have the same style addition that they are trying to construct. Ms. Roberts mentioned that she does not agree with the recommendation and feels that if denied, the addition will be an eye-sore due to the indentation of the structure.

Ms Caruso explained to the applicant that due to recent changes in the code they are now required to apply for a variance unlike in the past.

**Ms. Caruso closed the public hearing.**

**Ms. Caruso approved the variance for the reduced setback of 5 feet by making the three Findings. Findings 2 and 3 as proposed by staff and Finding 1 making a modification from the staff opinion in that our variance finding allows us to consider exceptional or extraordinary circumstances in regards not only to the size, shape or topography of the lot but also allows us to consider the use of the lot in taking into consideration the existing floor plan and alignment of the walls within the existing house and that allowing the variance makes for a more organized and reasonable development in this case with the existing floor plan than would be to require the additional setbacks.**

**Ms. Caruso stated that the decision is final unless appealed to the Planning Commission with payment of the appeal fee within the 15-day appeal period.**

The meeting was adjourned at 2:10p.m.

Minutes approved by:

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Gerri Caruso, Principal Planner